

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EDD TAWON PAYNE, United States Citizen;

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

4:23CV3237

MEMORANDUM AND ORDER

On December 11, 2023, the Court directed Petitioner Edd Tawon Payne to pay the filing fee or submit a motion to proceed in forma pauperis ("IFP") within 30 days or face dismissal of this action. The Court further ordered Petitioner to file an amended petition for writ of habeas corpus under [28 U.S.C. § 2241](#) that was originally signed under penalty of perjury within 30 days. [Filing No. 5](#). Because Petitioner was transferred multiple times to different facilities, the Court extended the deadline for Petitioner to pay the filing fee or submit an IFP motion and amend his petition to March 18, 2024. [Filing No. 14](#). However, to date, Petitioner has not paid the filing fee, submitted a motion to proceed IFP, or filed an amended petition, and the time in which to do so has passed.

IT IS THEREFORE ORDERED that: This case is dismissed without prejudice because Petitioner failed to prosecute it and failed to comply with this Court's orders. No certificate of appealability has been or will be issued. The Court will enter judgment by a separate document.

Dated this 3rd day of April, 2024.

BY THE COURT:



Joseph F. Bataillon
Senior United States District Judge